REMARKS

This communication is being filed in response to the Final Office Action having a mailing date of July 8, 2010 in which a three (3) month Shortened Statutory Period for Response has been set, due to expire October 8, 2010. Nineteen (19) claims, including three (3) independent claims, were paid for in the application. Claims 1, 10, and 15 are currently amended. No new matter has been added to the application, and all claims are believed in condition for allowance. Upon entry of the amendments herewith, claims 1-19 remain pending. All claims have been placed in condition for allowance.

I. Discussion of the claims and cited references

The present final Office Action rejects claims 1-19.

Claims 1-3 and 6-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over ***Daines et al.*** (U.S. Patent No. 6,192,422), ***Szymanski*** (U.S. Patent No. 6,851,086) in view of ***Yorozu et al.*** (U.S. Patent No. 4,722,054).

Claims 10 and 15-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over ***Diepstraten*** (U.S. Patent No. 5,339,316) in view of ***Yorozu et al.***

Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over ***Diepstraten***, ***Daines et al.***, ***Yorozu et al.*** in view of ***Gu et al.*** (U.S. Patent No. 6,845,089).

Claim 19 is rejected as being under 35 U.S.C. § 103(a) as being unpatentable over ***Diepstraten***, ***Daines et al.***, ***Yorozu et al.*** in view of ***Early et al.*** (U.S. Patent Application Publication No. 2005/0241710).

Claims 11-14 are rejected as being under 35 U.S.C. § 103(a) as being unpatentable over ***Diepstraten***, ***Daines et al.***, ***Yorozu et al.*** in view of ***Szymanski***.

Claim 4 is rejected as being under 35 U.S.C. § 103(a) as being unpatentable over ***Daines et al.***, ***Szymanski***, ***Yorozu et al.*** in view of ***Gu et al.***

Claim 5 is rejected as being under 35 U.S.C. § 103(a) as being unpatentable over ***Daines et al.***, ***Szymanski***, ***Yorozu et al.*** in view of ***Early et al.***

Claims 8-9 are rejected as being under 35 U.S.C. § 103(a) as being unpatentable over ***Daines et al., Szymanski, Yorozu et al.*** in view of ***Diepstraten.***

For the reasons set forth below, these rejections are respectfully traversed. It is therefore kindly requested that the rejections be reconsidered and withdrawn.

II. Telephone Interview Summary

A telephone interview was held between the attorney of record (Thomas J. Satagaj) and the Examiner on August 18, 2010. An Interview Summary form PTOL-413 mailed on August 26, 2010 indicated that the present amendment/response must include "the substance of the interview." Accordingly, the substance of the interview is provided below:

Mr. Satagaj and the Examiner discussed the cited references, including *Yorozu*, and certain features in the claims by telephone on August 18, 2010. No agreement on the allowability on the claims was reached in the telephone conversation, but the Examiner did agree that clarifying the independent claims to indicate that the repeater retransmits the data packet onto at least two paths of the network would traverse the cited references. The Examiner agreed to reconsider the rejections in light of such claim amendments if submitted via a formal written reply to the present final Office Action.

III. Independent Claims 1, 10, and 15

Claim 1 has been amended to clarify that at least one repeater node in the wireless network initiates "retransmission of the data packet onto at least two paths of the network." As described previously, the *Yorozu* reference fails to teach each element of the previously presented claims, nevertheless, the claims are now amended to more quickly advance the case to allowance. The *Yorozu* reference relies on a directly wired connection between his Repeater 12 and his POS Terminal 14. The *Yorozu* device, alone or in any motivated combination, is not capable of "initiating retransmission of the data packet onto at least two paths of the network" as recited in claim 1. Accordingly, claim 1 is now in condition for allowance, and reconsideration of the rejection to claim 1 is respectively requested.

The particular subject matter added to each independent claim is evident in the list of claims above. Although the claim language of each of independent claims 1, 10, and 15 stands alone, and each of the independent claims is limited only by its own limitations recited therein, it is to be appreciated that the remarks made above with respect to claim 1 and with regard to retransmission of data packets will make apparent the patentability of claims 10 and 15. Accordingly, independent claims 1, 10, and 15 are each in condition for allowance.

IV. Dependent Claims in General

Each dependent claim inherits the limitations of its respective base claim and all intervening claims. Therefore, allowance of the respective base claim compels allowance of all dependent claims. See, *e.g.*, *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, all dependent claims, including those that were referenced in the Office Action and not specifically referenced in the present response, are allowable for at least reasons of their respective base claims, and the rejections should be withdrawn.

V. Conclusion

It is believed that the present independent claims are clearly patentable and that all dependent claims are also patentable. If the attorney of record (Thomas J. Satagaj) has overlooked a teaching in any of the cited references that is relevant to the patentability of the claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact Mr. Satagaj at (206) 622-4900.

No fee for additional claims is believed due by way of this Amendment. The Director is authorized to charge any additional fees due by way of this Amendment only, or credit any overpayment, to our Deposit Account No. 19-1090. Reconsideration of the present application in view of the foregoing amendments and remarks is respectfully requested. A Notice of Allowance is earnestly solicited.

Respectfully submitted,

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